



STAFF REPORT

DATE: November 14, 2017

TO: Ronald L. Olson, City Manager

VIA: Kathy Davis, City Attorney

FROM: Traci Briggs, Deputy City Attorney

SUBJECT: Granting a deed without warranty to Tanja K. Robinson-Malone for property located at 501 Lisa Lane in Killeen, Texas for property erroneously deeded to the City of Killeen

BACKGROUND AND FINDINGS:

By instrument number 2012-00053708, dated December 29, 2012, Tanja K. Robinson (now Robinson-Malone) erroneously deeded a single-family residence she owned at 501 Lisa Lane in Killeen to the City of Killeen. As staff understands it, Ms. Robinson married a veteran who was entitled to the veteran tax exemption. She apparently received bad advice from someone, and rather than deeding the property to her and her spouse, she deeded it to the city. This was done without the knowledge or consent of the city, and the city has no use for the property. Ms. Robinson-Malone is unable to correct the error without city action.

Because the city does not pay property taxes, no taxes have been assessed or collected since the conveyance. The Bell County Tax Appraisal District has confirmed that the taxes back to December 29, 2012, will be due from Ms. Robinson-Malone if the deed returning the property to her is dated back to the date of the original transfer.

The intent of this action is to reject the erroneous conveyance, deed the property back to Ms. Robinson-Malone and get the property back on the tax rolls.

THE ALTERNATIVES CONSIDERED:

The options are to reject the conveyance to the city and deed it back to Ms. Robinson-Malone, or to take no action.

Which alternative is recommended? Why?

Staff recommends rejecting the conveyance to the city and deeding it back to Ms. Robinson-Malone. While the Appraisal District shows the city as the owner, no taxes are being assessed or collected. Also, Ms. Robinson-Malone and her husband are limited on the options they have on the property, including financing, unless they can show ownership.

CONFORMITY TO CITY POLICY:

This action conforms to state law and city policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

There is no expenditure related to this action. The executed deed will be provided to Ms. Robinson-Malone's attorney for filing.

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

Staff recommends that the City Council reject the December 29, 2012, conveyance of 501 Lisa Lane to the city, and authorize the City Manager to execute a Deed Without Warranty to return title to Tanja K. Robinson-Malone.

DEPARTMENTAL CLEARANCES:

City Attorney

ATTACHED SUPPORTING DOCUMENTS:

Draft Deed Without Warranty